

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:16-cv-00121-MR
(CRIMINAL CASE NO. 2:06-cr-00026-MR-WCM-1)**

KEVIN JACOB HOLLAND,)	
)	
Petitioner,)	
)	
vs.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

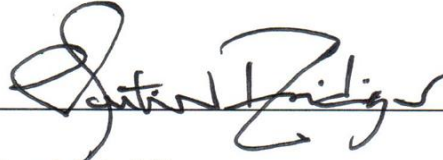
THIS MATTER is before the Court sua sponte on Borden v. United States, No. 19-5410, currently pending before the United States Supreme Court on writ of certiorari on the issue of whether a “violent felony” under the Armed Career Criminal Act includes crimes in which an individual used force recklessly. Because the Court’s disposition of the pending motion to vacate, which is before the Court on remand from the Fourth Circuit Court of Appeals, will likely be informed by Borden, and on consent of the parties,

IT IS HEREBY ORDERED that Petitioner’s motion to vacate sentence pursuant to 28 U.S.C. § 2255 is held in abeyance pending the decision of the Supreme Court in Borden v. United States, No. 19-5410. The parties shall notify the Court of the opinion rendered by the Supreme Court in Borden

within seven days after it is decided.

IT IS SO ORDERED.

Signed: November 25, 2020

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

